

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
SUSAN PINSKY,

Plaintiff,

07 Civ 3328 (CM)

- against -

**DECLARATION OF
DIANA CZUCHTA**

JP MORGAN CHASE & CO.,

Defendant.
----- X

Diana Czuchta, under penalty of perjury, declares that the following is true and correct:

1. I was employed by JP Morgan Chase in the Spring of 2005 as a Personal Banker.

In that capacity, I worked at the 55 Water Street Branch of JP Morgan Chase. I worked in the same area as Ms. Pinsky, on the floor of the bank.

2. On a daily basis, beginning in March 2005, I could observe that Ms. Pinsky was having physical problems and was in a lot of pain. She was constantly standing up, stretching, and walking around. She frequently complained about being in pain, and spoke about waiting for a standing desk to arrive for her at the branch.

3. Ms. Pinsky was, after a delay, placed to work at a tall service desk in the back of the branch. Ms. Pinsky frequently complained about the desk being uncomfortable and about how it was causing her condition to worsen. After a week, I actually observed Ms. Pinsky holding herself up on her forearms so as not to put weight on her lower back. Her discomfort should have been obvious to all around her.

Dated: New York, New York
June __, 2008



Diana Czuchta